

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

WAGO VERWALTUNGSGESELLSCHAFT MBH,

*Plaintiff,*

v.

ROCKWELL AUTOMATION, INC.,

*Defendant.*

Case No. 1:11cv756-CAB-NAV

**PROPOSED ORDER TO WITHDRAW DEFENDANT'S MOTION TO DISMISS**

Counsel for all parties in the above captioned action have conferred and agree to the withdrawal of defendant Rockwell Automation, Inc.'s pending Motion to Dismiss the Complaint (*see* Docket Nos. 9 and 21).

Dated: April 21, 2011

/s/ Scott S. Balber

Scott S. Balber  
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**ATTORNEY FOR DEFENDANT  
ROCKWELL AUTOMATION, INC.**

SO ORDERED:

s/Christopher A. Boyko  
Judge, United States District Court

April 27, 2011

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record are being served this 21st day of April, 2011, with a copy of this document via the Court's CM/ECF system.

Dated: April 21, 2011

/s/ Scott S. Balber

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